

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2001-123-S - ORDER NO. 2002-44  
JANUARY 23, 2002

IN RE: Thomas Vaeth,	)	ORDER GRANTING
	)	EXTENSION TO
Complainant,	)	PREFILE TESTIMONY
	)	
vs.	)	
	)	
River Pines Water System, Inc.,	)	
	)	
Respondent.	)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the request of Respondent, River Pines Water System, Inc. (River Pines or the Company) for an extension of time for filing in regard to the prefiled testimony of James D. Hix. River Pines was originally scheduled to prefile its testimony and exhibits on or before January 16, 2002, as set forth in Commission Order No. 2001-1049 issued November 9, 2001.

On January 15, 2002, counsel for River Pines filed a Request for Alteration in Scheduling Order that respectfully requested that the Commission grant an extension to prefile the testimony of James D. Hix until January 23, 2002. Counsel for River Pines stated that River Pines was in a position to submit all of its prefiled testimony by the due date of January 16, 2002, with the exception of Mr. Hix's. As set forth in the Request, counsel for River Pines was notified on Monday, January 14, 2002, that Mr. Hix had

suffered a stroke and due to his physical condition, counsel was hesitant in contacting Mr. Hix to finalize his testimony. The request provides further that Mr. Hix is a crucial witness for River Pines being that he owned all the shares in River Pines at the time of the incident which is the subject matter of this proceeding. River Pines is not, at this time, requesting that the hearing be rescheduled, but respectfully reserves the right to request a continuance depending upon the physical condition of Mr. Hix.

Additionally, the Request provides that counsel for River Pines has attempted to consult with counsel for the Complainant, Thomas Vaeth, to determine if the Complainant has any objections to an extension being granted, but has been unable to reach Complainant's counsel. Staff, however, has consulted with counsel for Mr. Vaeth, who does not object to the extension, as long as we allow the opportunity for rebuttal of Mr. Hix's testimony. This is a reasonable condition.

Upon consideration of River Pines Request, we approve and grant the request for an extension of time to prefile the testimony and exhibits of James D. Hix. Accordingly, the direct testimony and exhibits of James D. Hix shall be prefiled and served on or before **January 23, 2002**. (River Pines may file and serve the direct testimony and exhibits of Mr. Hix by mail on the indicated date.) Also, any rebuttal testimony and exhibits of the Applicant, to Mr. Hix's prefiled testimony, shall be filed on or before **January 28, 2002**, and any surrebuttal testimony to Mr. Hix's testimony shall be filed on or before **January 29, 2002**. (Rebuttal testimony and exhibits and surrebuttal testimony and exhibits must be in the offices of the Commission and in the hands of the parties on these dates.) It should be noted that acceptance into the record of surrebuttal testimony

and exhibits is subject to the discretion of the Commission. In addition, parties shall serve their pre-filed testimony and exhibits on all other parties of record as required by the Commission's Rules and Regulations. All parties are reminded that all witnesses must be present during any hearing in this matter at the call of the Chairman, or the Commission may decline to allow the witnesses' testimony to be read into the record of the proceeding, and/or may decline to allow the witnesses' exhibits to be entered into the evidence of the case.

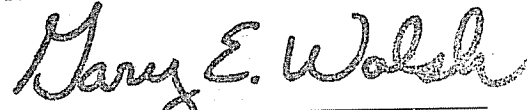
Please take notice that any party requesting modification of this schedule must file a request for such modification with the Commission.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Executive Director  
(SEAL)